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REPORT

T O T H E

PUBLIC

King County Regional Governance Summit

King County
Suburban Cities Association
City of Seattle





King County

September 6, 1991

Dear Interested Citizen,

Enclosed you will find the Final Report of the Regional Governance Summit. In response to recommendations detailed in this report, the King County Council voted to put these two measures before the voters at the Nov. 5, 1991 general election:

- * Should King County assume the functions and duties of Metro, the county-wide transit and water quality agency?
- * Should the King County Charter be amended to provide for a metropolitan county council of thirteen members with intergovernmental committees including city representatives to review county-wide policy plans?

Both measures must be approved for either to take effect. In addition, under state law, a majority of voters from both Seattle and the remainder of King County must approve King County-Metro "merger" for that proposition to pass.

Summit participants recommended that voters also be asked if King County officials should be elected on a nonpartisan basis. This proposal was strongly opposed by citizens at public hearings and the County Council voted not to put it on the ballot.

The Summit recommendations resulted from an unprecedented process involving input by hundreds of citizens and vigorous debate by elected representatives from suburban cities, Seattle and King County government.

The goal was to improve the ability of local government to deal with county-wide issues, especially growth management and transportation. Our region must also agree on a new method for governing Metro, since the Metro Council has been ruled unconstitutional by the U.S. District Court.

Now, it's up to the voters to consider the merits of the Summit plan. On behalf of all the Summit participants, I would like to thank you for your interest and attention to this issue.

Sincerely,

A handwritten signature in cursive script that reads "Lois North".

Lois North, Chair
King County Council

REPORT TO THE PUBLIC

KING COUNTY REGIONAL GOVERNANCE SUMMIT

King County
Suburban Cities Association
City of Seattle

June 26, 1991

*This report reflects recommendations adopted by the
majority of King County, Seattle and Suburban
representatives who participated in the Governance
Summit for King County*

SUMMIT MEMBERS

Suburban Cities

Randy Barton, Mayor, Kirkland
Earl Clymer, Mayor, Renton
Debbie Ertel, Mayor, Federal Way
Fred Jarrett, City Councilmember, Mercer Island
Terry Lukens, Mayor, Bellevue
Doreen Marchione, Mayor, Redmond
Fritz Ribary, Mayor, North Bend
Bob Roegner, Mayor, Auburn

City of Seattle

Norm Rice, Mayor
Paul Kraabel, President, City Council
George Benson, Councilmember
Cheryl Chow, Councilmember
Sue Donaldson, Councilmember
Jane Noland, Councilmember
Dolores Sibonga, Councilmember
Sam Smith, Councilmember
Jim Street, Councilmember
Tom Weeks, Councilmember

King County

Tim Hill, Executive
Lois North, Chair, County Council
Paul Barden, Councilmember
Brian Derdowski, Councilmember
Audrey Gruger, Councilmember
Bruce Laing, Councilmember
Greg Nickels, Councilmember
Kent Pullen, Councilmember
Ron Sims, Councilmember
Cynthia Sullivan, Councilmember

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SUMMARY

On June 26, 1991, following a 10-month process which included nearly 30 public meetings, elected officials from King County, Seattle and suburban cities agreed on a proposal to create a new Metropolitan King County government. This proposal calls for the consolidation of the existing King County government and Metro, the county-wide agency for transit and water quality; the expansion of the County Council from 9 to 13 members; and the creation of Intergovernmental Committees to give cities a voice in countywide comprehensive policy planning.

Goals of this proposal include:

- Improving growth management and environmental protection by unifying the services now divided between King County and Metro.
- Simplifying government by creating a single, 13-member Metropolitan King County Council to replace the 44-member Metro Council and the 9-member King County Council.
- Giving cities "a voice and a vote" in developing countywide comprehensive policy planning.
- Increasing accountability by making elected officials directly responsible to the voters for Metro policies and practices.
- Bringing King County and its cities together to comply with the state Growth Management Act.
- Bringing Metro into compliance with the constitutional guarantee of one-person, one-vote.

In approving this proposal, local officials agreed that three ballot propositions should be put before the voters of King County on November, 5, 1991:

- 1) Should King County and Metro be merged?
- 2) Should the King County Charter be amended to create a 13-member Metropolitan King County Council with Intergovernmental Committees and other provisions for comprehensive, county-wide planning purposes?
- 3) Should the Executive, Council and Assessor positions in county government serve on a nonpartisan basis?

Local officials agreed that propositions 1 and 2 should be effective only if both were approved by the voters.

This proposal was developed through an unprecedented summit process convened in September, 1990. Participants included the King County Council, the Seattle City Council, the King County Executive, the Seattle Mayor, and Mayors or City Council members from Auburn, Bellevue, Federal Way, Kirkland, Mercer Island, North Bend, Renton and Redmond, representing the suburban cities of King County.

The summit was initiated in response to several major developments, including a growing recognition of the need for more effective ways to deal with problems which cross local government boundary lines. County and city officials must also develop a means for complying with the mandates of the state Growth Management Act.

Summit participants also were responding to a U.S. District Court ruling that the existing Metro Council violates constitutional guarantees of one-person, one-vote. Under a ruling by U.S. District Court Judge William Dwyer, a measure must be adopted to bring the Metro Council into compliance with one-person, one-vote by April, 1992. Should voters reject the "summit" proposal, Metro reorganization would be addressed in the 1992 session of the state Legislature, or by the court.

A preliminary Summit proposal was circulated in March, 1991. It was debated and discussed at more than a dozen public hearings and community meetings where hundreds of citizens offered testimony which helped to significantly shape the final proposal.

The Summit proposal was also studied by legal and financial committees which found no technical obstacles to implementing the summit report described on the following pages.

It is the intent of the Summit that the reorganization take place with no increase in taxes.

FINAL SUMMIT PROPOSAL

The Summit proposal consists of recommendations calling for consolidation of King County government and Metro, and expansion of the King County Council to a 13-member Metropolitan King County Council with Intergovernmental Committees and other provisions for comprehensive planning purposes. In addition, Summit participants agreed that voters should be asked if county government should be non-partisan.

I. METROPOLITAN KING COUNTY

State law allows a county to assume the functions and duties of a metropolitan municipal corporation, such as Metro, if voters approve. This process, defined under RCW 36.56, has been referred to throughout the Summit process as "merger" or consolidation.

If voters approve, Metro-King County merger would take effect on January 1, 1993. At that time, Metro would become a department within the reorganized county government in accordance with recommendations discussed in greater detail in the "Transition" section of this report.

Under state law, Metro-King County merger must be approved by a majority of voters from both the city of Seattle, and from the balance of King County.

Approval of the Summit proposal will significantly change the nature of county government. This change would be reflected by appropriate revisions to the King County Charter.

The state Constitution, the County Charter, and other county and state laws would continue to define the general organization and responsibilities of the reorganized county government, including the aspects described below.

- A. **Citizen Rights:** Citizens would continue to possess all rights provided by the King County Charter. These rights include the rights of initiative and referendum and all these rights would be extended to Metro functions.
- B. **The King County Executive:** The Executive would continue to be elected on a county-wide basis to be responsible for administering all functions assigned to the executive branch of county government, including the added Metro functions.

The Metro Executive Director, who now reports to the Metro Council, would report to the County Executive. The Executive would be responsible for hiring the Metro Director, subject to confirmation by the Metropolitan King County Council, as provided by sections 340.10 and 340.40 of the County Charter.

- C. **The Metropolitan King County Council:** Members of the county legislative body would continue to adopt the county budget and to set policies for county government, including Metro functions. Council members would continue to be elected by voters from specific geographic districts throughout the county.

On countywide comprehensive policy plans and issues of countywide significance, the Metropolitan King County Council would work in conjunction with Intergovernmental Committees made up of city and county representatives who would jointly develop policies and plans for consideration and action by the full Metropolitan-King County Council.

- D. **Election Schedule:** Elections for the four new positions added to the county legislative body would take place in November, 1992, with the four new members taking office in January, 1993. Of the new Council members elected in November, 1992, two would be required to run for re-election in 1993, while two would run for re-election in 1995.

The current nine council members and Executive would serve until the conclusion of their elected terms. Of the existing nine council positions, four are up for election in November, 1991. The other five positions will be up for election in November, 1993, when the County Executive position is also up for election.

- E. **Districting:** The 13 new council districts would be drawn by an independent Districting Committee in accordance with state, federal and county laws. The Summit recommended that the new districts be drawn to include areas that are predominately unincorporated or incorporated, and to reflect municipal boundaries and communities of common interests. New district boundaries would be drawn in early 1992 to allow for fall 1992 elections.
- F. **Nonpartisanship:** If voters approve, Council members, the Executive and the County Assessor would no longer run for election on the basis of party affiliations. Nonpartisan races would begin in fall 1992.
- G. **Options for Unincorporated Areas:** The proposal to reorganize county government has created an opportunity to review the status of unincorporated communities which now rely on county government for local representation and services.

The King County Council has agreed to initiate a process through which citizens from unincorporated areas can study ways to improve local government for their communities. Options may include incorporation or annexation to existing cities; establishment of townships, community councils or planning commissions; or remaining an unincorporated area with the existing structure.

The County Council has agreed to seek appropriate State Legislation that may be necessary to implement the citizens' recommendations.

In accordance with the right of self-determination, no change in local government structure would occur without the approval of the voters in the affected communities.

The Summit proposal in no way precludes citizens from initiating or proceeding with existing plans for incorporations or annexations.

- H. **Regional and Local Financing:** The Summit intends that county reorganization take place in a revenue neutral way, with changes not requiring an increase in tax revenues. One goal of the Summit is to assure that county-wide services are funded through county-wide revenue sources, while local services are funded by local revenue sources.

The King County Council has agreed to establish accounting systems for revenues and expenditures which will distinguish between regional and local services, and between urban and rural services, to make explicit if certain services to some areas are being subsidized by revenues from other areas.

However, to assure the preservation of rural areas, the Summit recognizes that subsidies of rural areas may be appropriate.

II. COMPREHENSIVE POLICY PLANNING

The Summit recommends establishment of a collaborative process in which county and city officials would work together to develop new comprehensive policies and plans for issues of county-wide significance. This recommendation arose from a lengthy Summit discussion about how municipal governments can more effectively respond to issues like land use, traffic or the need for human services which cross local government boundary lines.

Summit participants were also responding to the need to develop a means for complying with the state Growth Management Act, which requires cities and counties to jointly develop growth management plans.

Provisions described in this section of the Summit report would be authorized by voter approval of a King County Charter Amendment to create a 13-member legislative body with Intergovernmental Committees and other provisions for comprehensive, county-wide planning purposes.

Collaborative planning would include the following aspects:

- A. **Issues for Collaborative Planning:** The collaborative planning process would be applied to issues of county-wide significance. The Summit defined these issues initially as growth management including land use, transit and transportation, and utilities including water quality.

The Summit also recommended that a mechanism be developed so that other issues may be considered for future designation, with priority given to public health and human services.

- B. **Intergovernmental Committees:** The Summit recommends creation of at least two Intergovernmental Committees - one for developing a plan for growth management, including land-use and transportation; the other for utilities, including water quality.

These committees would include city and county representatives and they would develop plans and make recommendations on issues of county-wide significance to the full Metropolitan King County Council.

Intergovernmental Committees would consist of 12 members each. Six representatives would be appointed from the Metropolitan King County Council. The other six members would be city representatives. In considering water quality issues, the committees would include six Metropolitan King County Council representatives, four city representatives, and two representatives from sewer districts.

City members of Intergovernmental Committees would be appointed in proportion to population by the elected officials of the jurisdictions they represent.

Seattle representatives would be appointed by the Seattle City Council.

Suburban city representatives would be appointed by the Suburban Cities Association, or in a manner agreed to by these cities. Sewer districts representatives would be selected by sewer districts.

When issues are referred to Intergovernmental Committees, county ordinances will set time limits for the completion of committee tasks.

- C. **The Process:** The collaborative process would have the following steps, with appropriate opportunities for public review and comment.

- 1) A plan with county-wide significance is introduced to the Metropolitan King County Council.
- 2) The full Council refers the issue to the appropriate Intergovernmental Committee, with deadline established for committee action.

- 3) Intergovernmental Committee considers, amends and makes recommendations to the full Metropolitan King County Council.
 - 4) The Metropolitan King County Council considers the committee recommendations and reviews and acts upon the plan, with final approval requiring a 2/3 majority (nine votes on a 13-member Council). The two-thirds majority is required to assure broad-based support for the plan.
 - 5) The Executive approves or vetoes the plan.
 - 6) The initial comprehensive plan, including a process for handling amendments and major updates, is implemented following ratification by local governments.
- D. **Ratification:** Initial policy and comprehensive plans for issues of county-wide significance must be ratified by one-third of all the units of general purpose government in King County representing three-fourths of the total county population.

Currently, there are 32 general purpose governments in the county, including King County itself. These governments represent 1.5 million people.

If a local jurisdiction fails to act within 120 days after receiving a plan for ratification, it will be considered as approval of the plan.

- E. **Other Planning Issues:** The Summit also recommends that King County begin working with the cities to:
- Adopt urban growth boundaries, as required by the Growth Management Act.
 - Examine the potential for sharing design and development standards for urbanizing areas within city growth areas.
 - Offer to contract with cities where appropriate to process land-use applications.
 - Evaluate a range of growth phasing techniques to ensure development is concurrent with the provision of urban services by cities.
 - Work with cities to coordinate infrastructure development within city growth boundaries.
 - Review rural density standards and create stronger separators between urban areas, and between urban and rural areas to reduce the impacts of each area upon the other.

III. TRANSITION ISSUES

Summit participants recommended many goals and conditions for consolidating Metro and King County. A report by a Transition Task Force was approved by the Summit. It is attached to this report. Key transition measures include:

- A. **Creation of Transition Committees:** The Summit recommended the immediate formation of at least two committees to oversee transition issues.
- 1) A Transition Oversight Committee to provide policy guidance and to assist a management transition team; this oversight committee would include two representatives each from King County, the City of Seattle, and the suburban cities, together with experienced citizen representatives.
 - 2) A Management Transition Team of department directors and/or their designees from Metro and King County to work out the details for merging the two organizations.
- B. **Transition Goals:** The following objectives should be met in merging Metro and King County:
- * Improve coordination of plans and services for land-use, environmental protection and transportation.
 - * Assure adequate funding for Metro and King County operations.
 - * Assure that the cost of the new combined government does not exceed the existing total cost of Metro and King County.
 - * Protect the rights and interests of Metro and King County employees.
 - * Protect the rights and interests of parties now holding contracts and bonds.
 - * Maximize the strengths and improve the operations of each government.
- C. **Transition Requirements:** Merger would proceed in compliance with state law, and according to the following recommendations:
1. ***Dedicated Metro Funds:*** State law requires that Metro revenues be used for Metro functions. In addition, the ballot measure for Metro-King County merger will require establishment of separate "enterprise funds" devoted to Metro's transit and water quality functions. Revenues and expenditures for these funds must be accounted for separately from other King County revenues and expenditures. Any change in this accounting system would require voter approval.

2. ***Metro Employees:*** In state law, RCW 36.56.050 provides that in the event of a merger, all Metro employees under its personnel system shall be assigned to the King County personnel system to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action which is appropriate thereafter under the laws and rules of the county personnel system.

RCW 36.56.060 also assures continuance of all existing Metro collective bargaining units and collective bargaining agreements until they expire or are modified as provided by law.

3. ***Metro Personnel Policies:*** The Summit recommends that the Metropolitan King County Council adopt existing Metro personnel rules and regulations to apply to Metro employees while a more complete review is conducted to develop unified personnel policies for Metro and King County employees.
4. ***Metro Contractors and Bondholders:*** State law requires that all existing Metro contracts and obligations will remain in full force and effect.
5. ***Metro Internal Structure:*** The summit recommends that for at least two years after merger, Metro shall retain its existing organization and reporting structure. Transit, Water Pollution Control, Finance, Technical Services and other Metro departments or divisions would report to the Metro Executive Director and retain their current internal reporting relationships.

D. **Transition Tasks:** The following issues should be addressed or considered in the transition process:

- 1) ***Metro Rate Setting and Budget Adoption:*** Cities and sewer districts rely upon Metro rate and budget information in setting their own budgets and rates for sewer service. The Metro-King County government must adopt a process for continuing to provide cities and sewer districts with adequate advance information on budget issues and rates.
- 2) ***Metro's Unexercised Tax Authority:*** Metro possesses, but has not exercised, the power to impose a Business and Occupation Tax, and an Excise Tax. If exercised, proceeds from these taxes must only be used for Metro purposes to comply with the original statutory intent.
- 3) ***State Legislation:*** The Summit recommends future state legislation on issues related to the fiscal powers of the Metro-King County government. The need for legislation would depend on the nature and cost of possible future public transit projects. The two issues identified as subjects for legislation were preservation of as much of the debt capacity of the two existing agencies as is possible and potential elimination of future use of Metro's supplemental income authority.